

REGULATION No. I OF 1907.

(PASSED ON THE 6TH DAY OF MARCH 1907.)

A Regulation to establish a Legislative Council in Mysore.

WHEREAS it is expedient to establish a Council for making Laws and Regulations in Mysore; His Highness the Maharaja is pleased to enact as follows:—

Preamble.

1. (1) This Regulation may be called the Mysore Legislative Council Regulation, 1907.

Short title.

(2) It shall come into force on the expiry of three months from the date of its first publication in the official Gazette.

Commencement.

2. In this Regulation, unless there be something repugnant in the subject or context:—

Interpretation clause.

(1) "Councillor" means a member of the Council of His Highness the Maharaja appointed to assist in the carrying on of the Government of the State.

(2) "Legislative Council" or "Council" means the Council for making Laws and Regulations appointed under section 3.

(3) "Member" means a member of the Legislative Council.

3. For the purpose of making Laws and Regulations, there shall be a Council to be called the Legislative Council, consisting of a President, two *ex officio* members and such number of additional members not less than ten or more than fifteen, as may be fixed by the Government of His Highness the Maharaja from time to time.

Constitution of Legislative Council.

4. (1) The Dewan shall, *ex officio*, be the President of the Legislative Council, and the Councillors shall *ex officio* be members thereof.

President and members.

(2) The remaining members shall be nominated by Government from time to time. Provided that not less than two-fifths of the persons so nominated shall be non-official persons, that is, persons who, at the time of such nomination, shall not be in the service of Government, and that the seat in Council of any non-official member accepting such service shall be vacated on such acceptance.

5. The Government of His Highness the Maharaja may, from time to time, frame rules as to the conditions under which all or any of the non-official members of the Legislative Council may be selected for nomination.

Power to make rules for selection of non-official members.

6. Every person nominated as a member of the Council shall continue to be such member for a period of two years, and, during such period, he shall be summoned to all meetings held for the purpose of making Laws and Regulations.

Period of membership and right of members to be summoned to meeting.

7. (1) It shall be lawful for any member of the Council to resign his office at any time, and, on acceptance of such resignation by the Government of His Highness the Maharaja, such office shall become vacant.

Membership when vacated.

(2) When any member of Council is convicted of any offence involving moral turpitude, or is declared insolvent or claims to be discharged from liability to pay his debts on the ground of insolvency, his office shall become vacant.

(3) An official member shall vacate his seat on his dismissal or retire from public service.

Explanation.—The decision of Government as to whether the offence of a member may be convicted involves moral turpitude, is final, and shall not be in question in any Court of Law.

8. If any member shall be unable to attend three consecutive ordinary meetings of the Council, it shall be lawful for Government to declare by notification in the official Gazette that the seat in Council of such member has become vacant.

Member not attending three consecutive ordinary meetings vacates seat.

9. (1) In the absence of the Dewan, the senior Councillor present, or, if there be only one Councillor present, such Councillor, shall preside at the meetings of the Council: and the power of making Laws and Regulations vested in the Council shall be exercised only at the meetings of the said Council at which the Dewan or some one of the Councillors and not less than one-half of the whole number of members of Council shall be present.

Who to preside at meetings in the absence of Dewan.

Quorum.

(2) In every case of difference of opinion at the meetings of the said Council, whenever there shall be an equality of voices, the Dewan, or, in his absence, the Councillor then presiding, shall have two votes or the casting vote.

Casting vote.

10. It shall be lawful for the Dewan, from time to time, to appoint the time and place of meetings of the Council, to adjourn, or, from time to time, to authorise the Councillor presiding, in his absence, to adjourn, any meeting from time to time.

Dewan to appoint time and place of meetings.

11. (1) It shall be lawful for the Legislative Council to make, from time to time, rules for the conduct of business at meetings of the Council, provided that it shall be lawful for Government to disallow all or any of such rules.

Rules for conduct of business at meetings.

(2) The rules contained in the schedule appended hereto shall be and remain in force until they are replaced or amended by rules framed under sub-section (1) of this section.

12. (1) No measure of any description shall be introduced into the Council without the previous sanction in writing of the Dewan, and the leave of the Council obtained in accordance with rules framed under section 11.

Measures not to be introduced without Dewan's sanction.

(2) No business shall be transacted at any meeting of the Council other than the consideration and passing of measures introduced into such Council for the purpose of being considered and passed; and it shall not be lawful for any member to make or for the Council to entertain any motion unless such motion shall be for leave to introduce some measure as aforesaid into Council, or have reference to some measure actually introduced therein.

Nature of business to be transacted at meetings.

Provided that it shall not be lawful for the Council to consider any measure affecting—

- (a) the Ruling Family of Mysore,
- (b) the relations of His Highness the Maharaja with the Paramount Power or with Foreign Princes or States,
- (c) matters governed by treaties, conventions or agreements, now in force or hereafter to be made by His Highness the Maharaja with the Paramount Power,
- (d) extradition of criminals,
- (e) European vagrants,
- (f) European British subjects,
- (g) the Post Office, Telegraphs and Railways,
- (h) the Mysore Military Forces, or,
- (i) such other matters as may from time to time be specially reserved by His Highness the Maharaja for consideration by the Government.

13. When any Law or Regulation has been made by the Council, it shall be submitted to His Highness the Maharaja through the Dewan for assent. No such Law or Regulation shall have validity until it receives the assent of His Highness the Maharaja.

Regulation valid until it has the assent of the Maharaja.

14. In the cases mentioned in the proviso to section 12 of this Regulation, the Government may frame any Regulation required, and every such Regulation, if assented to by His Highness the Maharaja, shall have the force of law.

Regulations in matters outside jurisdiction of Council.

15. Notwithstanding anything contained in this Regulation, it shall be lawful for the Government to frame any Regulation, in cases not falling under the proviso to section 12 of this Regulation, in which legislation is emergently required, and every such Regulation, if assented to by His Highness the Maharaja, shall have the same force as a Regulation passed through the Council, for the space of six months from its promulgation in the official Gazette.

Emergent Regulations.

16. No Law or Regulation passed by the Legislative Council under the authority of this Regulation shall be deemed invalid by reason that the proportion of non-official members hereby provided was not complete at the date of its introduction into or its being passed by the Council.

No Regulation to be invalid by reason of incompleteness of number of non-official members.

V. P. MADHAVA RAO,

Dewan of Mysore.